



CITY OF WINCHESTER, VIRGINIA

Rouss City Hall
15 North Cameron Street
Winchester, VA 22601
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TOO 540-722-0782
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AFFIDAVIT BUILDING PERMIT RELEASE

Building Permit Number: _____

Address: _____

1-2-36 Family: See Attached Description

1-2-31 Dwelling Unit: One (1) or more rooms in a dwelling designed for living or sleeping purposes and having only one (1) kitchen. Notwithstanding any other provisions of this Ordinance, not more than 12 people may live in or occupy any dwelling unit. (2-11-97, Case TA-96-09, Ord. No. 005-97)

The release of a building permit for interior remodeling, including kitchen appliances and bathroom facilities in no way implies permission to create a separate dwelling unit. The subject area shall not be rented, leased or used in any way as a separate dwelling area, room, suite, or apartment. The current owner of the property hereby acknowledges that the existing dwelling unit shall not be used, marketed and / or advertised, rented, leased, or sold in a manner implying occupancy beyond a *single-family dwelling unit*.

Building Official: _____ Date: _____

Zoning Administrator: _____ Date: _____

Property Owner: _____ Date: _____

NOTARY PUBLIC

STATE OF _____ CITY OF _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON
BY _____

MY COMMISSION EXPIRES ON _____

ATTACHMENT TO AFFIDAVIT OF USE AND OCCUPANCY

1-2-36 FAMILY: Any of the following groups conforming to the limitations outlined in Section 18-4, Occupancy of Dwelling Units, living and cooking together as a single housekeeping unit;

- (1) One or more persons related by blood, marriage, legal guardianship or adoption, including foster children, as verified by official public records such as motor vehicle operator's licenses, birth or marriage certificates; or by affidavits. The Zoning Administrator may require an affidavit in this regard and may reject any such evidence not in the form of an affidavit; or
- (2) Not more than four unrelated persons or a combination of related and unrelated persons; or
- (3) Two unrelated adults and any children related to either one or both adults by blood, marriage, legal guardianship or adoption, including foster children; or
- (4) Not more than eight (8) unrelated persons who are:
 - (a) Residents of a group home as defined within § 15.2-2291, Code of Virginia (as amended), occupying a single family dwelling unit or other residential facility for which the Department of Mental Health, Mental Retardation, and Substance Abuse services of the Commonwealth is the licensing authority; or
 - (b) "Handicapped" as defined within the Federal Fair Housing Act, 42 USC § 3602(h), and/or "Disabled" as defined within the Americans with Disabilities Act of 1990, 42 USC §§ 12101, et. Seq. These definitions do not include current illegal use of or addiction to a "controlled substance" as defined in the Controlled Substances Act, 21 USC § 802(6) or § 54.1-3401, Code of Virginia (as amended).